



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,737	09/25/2000	Hajime Oosawa	04329.2436	1652

22852 7590 05/18/2004

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
1300 I STREET, NW  
WASHINGTON, DC 20005

EXAMINER
----------

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
----------	--------------

2613

DATE MAILED: 05/18/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/668,737

Applicant(s)

OOSAWA, HAJIME

Examiner

Dave Czekaj

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 3-19-04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6,7,9,10,12-15,17,18,20,21,23,24 and 26-28 is/are rejected.
- 7) ☒ Claim(s) 2,5,8,11,16,19,22 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

On pages 16 and 17 the applicant argues that the term object defined by Burns is different from the object disclosed by the applicant. While the applicant's points are understood, the examiner cannot agree. See for example Burns, column 3, lines 20-23. There Burns describes that Burns defines an object being a constituent part of the image frame, a region of the image frame, or another entity of interest in the image frame. Clearly the object described above by Burns meets the applicant's definition of object being a "visual object, audio object, or the like". More specifically, another entity of interest in the image frame would imply a visual object in the image frame. Further, the applicant's definition of object (visual object, audio object, or the like) is not found in the claims. What is found in the claims is kinds of data, in which Burns definition of the term object clearly meets kinds of data.

On pages 16 and 17, the applicant also argues that Burns does not clearly show different objects encoded by different methods. While the applicant's points are understood, the examiner cannot agree. See for example Burns, column 4, lines 59-67 – column 5, lines 1-5. There, Burns describes encoding different objects using different methods where the types of methods are mathematical transformations, level of accuracy, signal-to-noise ratio, and compression ratios. Therefore the rejection has been maintained.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 7, 15, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Burns (6526173).

Regarding claims 1 and 15, Burns discloses a video compression system that significantly reduces the number of bits needed to transmit and store a video signal (Burns: column 1, lines 44-46). This system comprises “selecting an error-correction coding method for each kind of data based on the priority of each kind” (Burns: column 4, lines 64-67, wherein the objects are the kinds of data), “error-correction coding each of the kinds of data” (Burns: column 4, lines 64-67, wherein the objects are the kinds of data), and “multiplexing the objects and transmitting the multiplexed data” (Burns: column 5, lines 27-36).

Regarding claims 7 and 21, Burns discloses the complementary demultiplexer and decoders that demultiplex/decode the coded data (Burns: figure 3). It is inherent that the demultiplexer and decoders perform the inverse operations performed by the complimentary multiplexers/coders.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-4, 6, 9-10, 12, 17-18, 20, 23-24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (6526173) in view of Schmid et al. (6229437), (hereinafter referred to as "Schmid").

Regarding claims 3, 6, 17, and 20, Burns discloses a video compression system that significantly reduces the number of bits needed to transmit and store a video signal (Burns: column 1, lines 44-46). This system comprises "selecting an error-correction coding method for each kind of data based on the priority and traffic quality of each kind" (Burns: column 4, lines 64-67, wherein the traffic quality is the data rate, the object is the kind of data), "error-correction coding each of the kinds of data" (Burns: column 4, lines 64-67, wherein the object is the kind of data), and "multiplexing the kinds and transmitting the multiplexed data" (Burns: column 5, lines 27-36). However, this apparatus lacks the stopping means as claimed. Schmid teaches that it is essential to include a stop symbol when having messages of varying lengths (Schmid: column 3, lines 5-51). Schmid discloses an apparatus that has stop symbols which indicates the end or stopping of one message and the beginning of another one. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the system disclosed by Burns and add the stop

symbol taught by Schmid in order to obtain an apparatus that can more efficiently transmit objects by having the ability to stop the transmission after a desired packet.

Regarding claims 9, 12, 23, and 26, Burns in view of Schmid disclose a means for stopping error correction coding based on priority and traffic quality. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the complimentary decoder in order to obtain a complete system that includes both the coder and decoder.

Regarding claims 4 and 18, Burns discloses "detecting traffic quality and selecting an error correction method based on the priority and traffic quality" (Burns: column 4, lines 64-67, wherein the traffic quality is the data rate, which is previously computed).

Regarding claims 10 and 24, Burns discloses "detecting traffic quality and an error correction coding method based on the priority and traffic quality" (Burns: column 4, lines 64-67, wherein the traffic quality is the data rate, which is previously computed). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the complimentary decoder in order to obtain a complete system that includes both the coder and decoder.

5. Claims 13-14 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burns (6526173).

Regarding claim 13, Burns discloses a video compression system that significantly reduces the number of bits needed to transmit and store a video signal (Burns: column 1, lines 44-46). This system comprises "selecting an error-correction coding method for each kind of data based on the priority of each object" (Burns: column 4, lines 64-67, wherein the object is the kind of data), "error-correction coding each of the kinds of data" (Burns: column 4, lines 64-67, wherein the kinds of data is the object), and "multiplexing the kinds of data and transmitting the multiplexed data" (Burns: column 5, lines 27-36, wherein the kinds of data is the object). Although Burns fails to show coding the scene description data as disclosed, Burns does show a type scene description data in the key and feature points (Burns: column 3, lines 31-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to code the feature and key points since the feature and key points and scene description data are one in the same.

Regarding claims 14 and 27, Burns discloses a video compression system that selects an error-correction coding method for each kind of data based on the priority of each object, error-correction codes each of the kinds, and multiplexes the kinds of data and transmits the multiplexed data. Although Burns fails to show coding the scene description data as disclosed, Burns does show a type scene description data in the key and feature points. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to implement the complimentary decoder in order to obtain a complete system that includes both the coder and decoder.

Regarding claim 28, Burns discloses a video compression system that significantly reduces the number of bits needed to transmit and store a video signal (Burns: column 1, lines 44-46). This system comprises "selecting an error-correction coding method for each kind of data based on the priority of each object" (Burns: column 4, lines 64-67, wherein the object is the kind of data), "error-correction coding each of the kinds of data" (Burns: column 4, lines 64-67, wherein the object is the kind of data), and "multiplexing the kinds and transmitting the multiplexed data" (Burns: column 5, lines 27-36). Although Burns fails to show coding the scene description data as disclosed, Burns does show a type scene description data in the key and feature points (Burns: column 3, lines 31-40). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to code the feature and key points since the feature and key points and scene description data are one in the same and to implement the complimentary decoder in order to obtain a complete system that includes both the coder and decoder.

***Allowable Subject Matter***

6. Claims 2, 5, 8, 11, 16, 19, 22, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.



Art Unit: 2613


7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

  
CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600